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2 **Entered on Docket**
3 **June 22, 2010**

A handwritten signature in black ink, appearing to read "R. B." followed by a stylized signature.

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5
6 **Hon. Linda B. Riegle**
7 **United States Bankruptcy Judge**

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9
10 **LEWIS AND ROCA LLP**

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21 *Attorneys for USACM Liquidating Trust*

22 **UNITED STATES BANKRUPTCY COURT**
23 **DISTRICT OF NEVADA**

24 In re:

25 USA COMMERCIAL MORTGAGE COMPANY,

26 Case No. BK-S-06-10725-LBR

27 CHAPTER 11

28 Jointly Administered Under
29 Case No. BK-S-06-10725 LBR

30 **Order Sustaining First Omnibus Objection
31 Of USACM Trust To Proofs Of Claim
32 Based Entirely Upon Investment In The
33 60th Street Venture, LLC Loan**

34 Hearing Date: June 15, 2010
35 Hearing Time: 9:30 a.m.

36
37 The Court having considered the "First Omnibus Objection Of USACM Trust To
38 Proofs Of Claim Based Entirely Upon Investment In The 60th Street Venture, LLC Loan"
39 [DE 8045] (the "Objection"); the Court having heard the Objection on June 15, 2010;
40 appropriate notice of the Objection having been given; no response to the Objection
41 having been filed; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8045] is sustained;
3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the 60th Street Venture, LLC Loan for the reasons
5 set forth in the objection.

6 3. The claims listed on **Exhibit A** are not affected by this order to the extent
7 they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

11 By/s/ Robert M. Charles, Jr. (# 6593)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021
23 In accordance with Local Rule 9021, the undersigned certifies:
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- 6 The Court waived the requirements of approval under LR 9021.
- 7 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I
8 have delivered a copy of this proposed order to all counsel who appeared at the
9 hearing, any unrepresented parties who appeared at the hearing, and each has
10 approved or disapproved the order, or failed to respond, as indicated below [list
11 each party and whether the party has approved, disapproved, or failed to
12 respond to the document.]
- 13 This is a chapter 11 case, and I have delivered a copy of this proposed order to
14 all counsel who appeared at the hearing, any unrepresented parties who
15 appeared at the hearing, and each has approved or disapproved the order, or
16 failed to respond, as indicated below.
- 17 I certify that I have served a copy of this order with the motion, and no parties
18 appeared or filed written objections.

19

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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Submitted by:
21 LEWIS AND ROCA LLP

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By: /s/ Robert M. Charles, Jr.
23 Attorneys for USACM Liquidating Trust

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Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 60th St. Venture, LLC Loan
10725-01342	Richard G. Adams	6990 East Thirsty Cactus Lane Scottsdale, AZ 85262	\$26,280.40	\$26,280.40
10725-00726	David Foxcroft	2605 East Flamingo Road Las Vegas, NV 89121	\$60,000.00	\$60,000.00